

REMARKS

Claims 1-10 and 24-26 are pending in the present application.

In an Office Action dated February 23, 2006, the Examiner finally rejected claims 1-4, 9, 10 and 24-26 under 35 U.S.C. § 103(a) as being unpatentable over Maeda et al. (U.S. Patent No. 5,281,295) in view of Frankel et al. (U.S. Patent No. 6,019,848). Claims 5-8 were finally rejected under § 103(a) over Maeda and Frankel in view of certain other references.

Applicants requested reconsideration on June 23. The Examiner issued an Advisory Action on July 7 indicating that the request for reconsideration did not place the application in condition for allowance.

Applicants herewith file a request for continued examination (RCE) and this Amendment as the requisite submission pursuant to 37 C.F.R. § 1.114. With entry of this Amendment, Applicants amend claim 1. Reexamination and reconsideration are respectfully requested.

Claim 1 has been amended to recite "a controller configured to determine demand for the ozone-containing gas based on a changed number of processing chambers processing with the ozone-containing gas, and configured to control the flow regulator to regulate a flow rate of the oxygen-containing gas being supplied to the ozone generator so that a generating rate of the ozone-containing gas being generated by the ozone generator and thus a flow rate of the ozone-containing gas being discharged from the ozone generator to be supplied to the processing chamber or chambers substantially correspond to the ozone-containing gas demand based on the changed number of processing chambers processing with the ozone-containing gas."

This amendment makes clear that the controller can determine the demand for ozone-containing gas based on a changed number of processing chambers processing with ozone-containing gas and then regulate the flow of oxygen-containing gas into the ozone generator so that the generating rate of the ozone-containing gas substantially corresponds to the demand based on the changed number.

In contrast, the ozone generator 10 of Maeda generates ozone gas at a *constant* generating rate for five dispersing devices. If gas should not be delivered to a given dispersing device, such as 27a, the gas is diverted via a switch (24a) to the exhaust through a corresponding exhaust piping (21a). Thus, if one device is not to receive gas, the amount of ozone generated by the ozone generator is not adjusted to the change in demand as claimed in claim 1.

In the previous Office Action, the Examiner contended that Maeda could be modified by the disclosure of control in Frankel. However, such a modification would change the operation principle of Maeda. To provide control of the oxygen inputted to Maeda's ozone generator in order to address demand changes, as the Examiner proposed, would render the entire switch/exhaust system of Maeda pointless. (See MPEP 2143.01(IV).) Moreover, the control in Frankel cited by the Examiner is directed to a single chamber operation. Frankel does disclose the use of multi-chamber systems, but it fails to disclose a control subroutine for such a system and instead discloses adding additional ozone generators. (See, e.g., Col. 16, lines 44-49.)

Accordingly, for all the reasons set forth above, Applicants respectfully submit that claims 1-4, 9, 10 and 24-26 are patentable over Maeda and Frankel. The Examiner rejected claims 5-8 under 35 U.S.C. § 103(a) as being unpatentable over Maeda and Frankel in view of Harada, Harvey and/or Toshima. All three were merely cited for recitations in the dependent claims, and it is believed that they do not make up for the deficiencies of Maeda and Frankel.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to pass this application to issue.

If, for any reason, the Examiner finds the application other than in condition for allowance, Applicants request that the Examiner contact the undersigned attorney at the Los Angeles telephone number (213) 892-5630 to discuss any steps necessary to place the application in condition for allowance.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing Docket No. 199372005100.

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Respectfully submitted,

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